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270 Madison Avenue, 8th Floor

New York, New York 10016-0601

Telephone: (212) 684-3900

Fax: (212) 684-3999

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NOV 13 2001

**FACSIMILE COVER SHEET****PETITIONS OFFICE**

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**TO:** Office of Petitions**COMPANY:** United States Patent and Trademark Office**TELEFAX NO.:** 703 308 6916**TELEPHONE NO.:** 703 305 9285**FROM:** Tiberiu WEISZ, Esq.

We are sending a communication of 18 page(s) (including this cover sheet). Please call (212) 684-3900 immediately if transmission is interrupted or of poor quality.

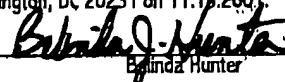
November 13, 2001

Your Ref No.: 09/767,027

Our Ref. No.: 3486-024 DIV III

**CERTIFICATE OF TRANSMISSION UNDER 37 CFR §1.8**

I hereby certify that this correspondence is being facsimile transmitted to Office of Petitions, at Fax 703 308 6916, Assistant Commissioner for Patents, Washington, DC 20231 on 11/13/2001.

  
Belinda Hunter

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PTO/SB/21 (6-98)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

17

Application Number

09/767.027

Filing Date

January 22, 2001

First Named Inventor

HOCHMAN, Mark N

Group Art Unit

3783

Examiner Name

To Be Assigned

Attorney Docket Number

3486-024 DIV III

## ENCLOSURES (check all that apply)

Fee Transmittal Form  
 Fee Attached  
 Amendment / Response  
 After Final  
 Affidavits/declaration(s)  
 Extension of Time Request  
 Express Abandonment Request  
 Information Disclosure Statement  
 Certified Copy of Priority Document(s)  
 Response to Missing Parts/ Incomplete Application  
 Response to Missing Parts under 37 CFR 1.52 or 1.53

Assignment Papers (for an Application)  
 Drawing(s)  
 Licensing-related Papers  
 Petition Routing Slip (PTO/SB/69) and Accompanying Petition  
 Petition to Convert to a Provisional Application  
 Power of Attorney, Revocation Change of Correspondence Address  
 Terminal Disclaimer  
 Small Entity Statement  
 Request for Refund

After Allowance Communication to Group  
 Appeal Communication to Board of Appeals and Interferences  
 Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  
 Proprietary Information  
 Status Letter  
 Additional Enclosure(s) (please identify below):  
 Return Receipt Postcard;

Remarks



22440

PATENT TRADEMARK OFFICE

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                         |                                                                |
|-------------------------|----------------------------------------------------------------|
| Firm or Individual name | GOTTLIEB RACKMAN & REISMAN PC<br>Tiberiu WEISZ Reg. No. 29,876 |
|-------------------------|----------------------------------------------------------------|

Signature

Date November 13, 2001

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: [redacted]

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Signature

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PTO/SB/17 (08-00)

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 557)

## Complete If Known

|                      |                                   |
|----------------------|-----------------------------------|
| Application Number   | 09/767,027                        |
| Filing Date          | January 22, 2001                  |
| First Named Inventor | HOCHMAN, Mark N                   |
| Examiner Name        | To Be Assigned                    |
| Group Art Unit       | 3763                              |
| Attorney Docket No.  | 3486-024 DIV III PETITIONS OFFICE |

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 07-1730

Deposit Account Name Gottlieb Rackman &amp; Reisman PC

 Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

 Check  Credit card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description               | Fee Paid |
|---------------|---------------|-------------------------------|----------|
| 101           | 710           | 201 355 Utility filing fee    | 355      |
| 106           | 320           | 206 160 Design filing fee     |          |
| 107           | 490           | 207 245 Plant filing fee      |          |
| 108           | 710           | 208 355 Reissue filing fee    |          |
| 114           | 150           | 214 75 Provisional filing fee |          |

SUBTOTAL (1) (\$ 355)

## 2. EXTRA CLAIM FEES

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 23                 | -20** = 3    | x 9            | = 27     |
| Independent Claims | 3            | - 3*** = 0     | x = 0    |
| Multiple Dependent |              |                |          |

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description                                                  |
|---------------|---------------|------------------------------------------------------------------|
| 103           | 18            | 203 9 Claims in excess of 20                                     |
| 102           | 80            | 202 40 Independent claims in excess of 3                         |
| 104           | 270           | 204 135 Multiple dependent claim, if not paid                    |
| 109           | 80            | 209 40 ** Reissue independent claims over original patent        |
| 110           | 18            | 210 9 ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 27)

\*\* or number previously paid, if greater. For Reissues, see above

## 3. ADDITIONAL FEES

| Large Entity                     | Small Entity | Fee Description                                                                   | Fee Paid              |
|----------------------------------|--------------|-----------------------------------------------------------------------------------|-----------------------|
| 105                              | 130          | 205 65 Surcharge - late filing fee or oath                                        | 65                    |
| 127                              | 50           | 227 25 Surcharge - late provisional filing fee or cover sheet                     |                       |
| 139                              | 130          | 139 130 Non-English specification                                                 |                       |
| 147                              | 2,520        | 147 2,520 For filing a request for ex parte reexamination                         |                       |
| 112                              | 920*         | 112 920* Requesting publication of SIR prior to Examiner action                   |                       |
| 113                              | 1,840*       | 113 1,840* Requesting publication of SIR after Examiner action                    |                       |
| 115                              | 110          | 215 55 Extension for reply within first month                                     | 55                    |
| 116                              | 390          | 218 185 Extension for reply within second month                                   |                       |
| 117                              | 890          | 217 445 Extension for reply within third month                                    |                       |
| 118                              | 1,390        | 218 695 Extension for reply within fourth month                                   |                       |
| 128                              | 1,690        | 228 945 Extension for reply within fifth month                                    |                       |
| 118                              | 310          | 219 155 Notice of Appeal                                                          |                       |
| 120                              | 310          | 220 155 Filing a brief in support of an appeal                                    |                       |
| 121                              | 270          | 221 135 Request for oral hearing                                                  |                       |
| 138                              | 1,510        | 138 1,510 Petition to institute a public use proceeding                           |                       |
| 140                              | 110          | 240 55 Petition to revive - unavoidable                                           | 55                    |
| 141                              | 1,240        | 241 620 Petition to revive - unintentional                                        |                       |
| 142                              | 1,240        | 242 620 Utility issue fee (or reissue)                                            |                       |
| 143                              | 440          | 243 220 Design issue fee                                                          |                       |
| 144                              | 600          | 244 300 Plant issue fee                                                           |                       |
| 122                              | 130          | 122 130 Petitions to the Commissioner                                             |                       |
| 123                              | 50           | 123 50 Petitions related to provisional applications                              |                       |
| 126                              | 240          | 128 240 Submission of Information Disclosure Stmt                                 |                       |
| 581                              | 40           | 581 40 Recording each patent assignment per property (times number of properties) |                       |
| 146                              | 710          | 246 366 Filing a submission after final rejection (37 CFR § 1.128(a))             |                       |
| 149                              | 710          | 249 366 For each additional invention to be examined (37 CFR § 1.128(b))          |                       |
| 17B                              | 710          | 270 355 Request for Continued Examination (RCE)                                   |                       |
| 169                              | 900          | 189 900 Request for expedited examination of a design application                 |                       |
| Other fee (specify) _____        |              |                                                                                   |                       |
| Reduced by Basic Filing Fee Paid |              |                                                                                   | SUBTOTAL (3) (\$ 175) |

## SUBMITTED BY

## Complete (if applicable)

|                   |                                                                                     |                                      |                   |           |              |
|-------------------|-------------------------------------------------------------------------------------|--------------------------------------|-------------------|-----------|--------------|
| Name (Print/Type) | WEISZ, Tibor                                                                        | Registration No.<br>(Attorney/Agent) | 29,878            | Telephone | 212 684 3900 |
| Signature         |  | Date                                 | November 13, 2001 |           |              |

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PTO/SB/21 (8-68)

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Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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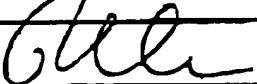
# TRANSMITTAL FORM

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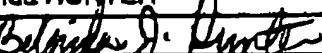
Total Number of Pages in This Submission **10**

|                        |                  |
|------------------------|------------------|
| Application Number     | 09/767.027       |
| Filing Date            | January 22, 2001 |
| First Named Inventor   | HOCHMAN, Mark N  |
| Group Art Unit         | 3763             |
| Examiner Name          | To Be Assigned   |
| Attorney Docket Number | 3486-024 DIV3    |

| ENCLOSURES (check all that apply)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment / Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Assignment Papers<br>(for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Small Entity Statement<br><input type="checkbox"/> Request for Refund | <b>COPY</b><br><input type="checkbox"/> Other Allowable Communication to Examiner<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below)<br><input type="checkbox"/> Return Receipt Postcard; |
| Remarks                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | FAX RECEIVED                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | NOV 13 2001                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| PETITIONS OFFICE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |                                                                                     |
|--------------------------------------------|-------------------------------------------------------------------------------------|
| Firm or Individual name                    | GOTTLIEB RACKMAN & REISMAN PC<br>Tiberiu WEISZ Reg. No. 29,876                      |
| Signature                                  |  |
| Date                                       | June 29, 2001                                                                       |

| CERTIFICATE OF MAILING                                                                                                                                                                                                                         |  |
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| Typed or printed name | Bellinda HUNTER                                                                     |
|-----------------------|-------------------------------------------------------------------------------------|
| Signature             |  |
| Date                  | June 29, 2001                                                                       |

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Date June 20, 2001 Amy JR/TW/BEL

**Re:** Inventor: HOCHMAN Title: DRUG DELIVERY SYSTEM  
WITH PROFILES

Client/Matter (Docket) No. 3486/24 DIV3 Case No.

S/N 09/767-027 R/N                  P/N

Title or Description of Enclosure Trans. Form Cvr. Sht.; Sec. Req. Not. File  
Miss. Prts. and Req. Corr. (Prelim) Filing Rec.; Not. File Missing  
Prt. Non-Prov. 2pgs; Record. Form Cvr. Sht. in dupl. 2pgs;  
Assgn. 2pgs.; Check \$40.

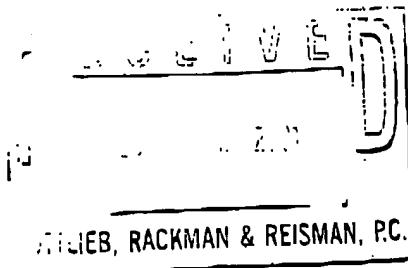
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New York, New York 10016-0801**

**Attention: Docketing**

573

Attorney Docket N :3486-024 DIV3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : HOCHMAN, Mark N  
Serial No. : 09/767,027  
(this is a divisional of parent application 09/201,464)  
Filing Date : January 22, 2001  
Title : DRUG DELIVERY SYSTEM WITH PROFILES  
Examiner : To Be Assigned  
Group Art Unit : 3763

June 20, 2001

Box Missing PartsAssistant Commissioner for Patents  
Washington, D.C. 20231

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Bethinda HunterSECOND RESPONSE TO NOTICE TO FILE MISSING PARTS  
AND REQUEST FOR CORRECTED (PRELIMINARY) FILING RECEIPT

SIR:

At the time of filing the above-identified patent application on January 22, 2001, applicant enclosed therewith a *Fee Transmittal For FY 2001* (form PTO/SB/17) authorizing the Commissioner to charge the small entity fees indicated therein to Deposit Account No. 07-1730. At that same time, applicant did assert entitlement to small entity status on the *Utility Patent Application Transmittal* (form PTO/SB/05) at item 2. Further, the initial submission at the time of filing included a *Declaration and Power of Attorney* duly signed by all inventors in this case. It is hereby reasoned that the declaration was not filed late and therefore a surcharge in the small

entity amount of \$65.00 is not now due.

In view of the above facts, Applicant hereby requests that the USPTO please charge to Deposit Account No. 07-1730 the outstanding filing fees totaling the small entity amount of \$382 as originally authorized at the time of filing this application. For the convenience of the USPTO, the Fee Transmittal For FY 2001 (form PTO/SB/17) was submitted in duplicate.

**REQUEST FOR CORRECTED (PRELIMINARY) FILING RECEIPT**

It is hereby requested that the USPTO correct the Attorney Docket No. to 3486-024 DIV3 as indicated in red on the marked up true copy of the preliminary filing receipt attached hereto prior to issuing the official filing receipt.

Dated: June 20, 2001  
New York, New York

Respectfully submitted,

GOTTLIEB RACKMAN & REISMAN PC  
Attorneys for Applicant  
270 Madison Avenue  
New York, New York 10016-0601  
Telephone: 212/684-3900  
Telefax: 212/684-3999

By: Tiberiu WEISZ  
Tiberiu WEISZ  
Reg. No. 29,876

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER       |
|--------------------|---------------------|-----------------------|------------------------------|
| 09/767,027         | 01/22/2001          | Mark Hochman          | 3406025 DT-7<br>3136-024 D16 |

CONFIRMATION NO. 3318

22440  
GOTTLIEB RACKMAN & REISMAN PC  
270 MADISON AVENUE  
8TH FLOOR  
NEW YORK, NY 100160601

FORMALITIES LETTER



'OC00000006098588'

**COPY**

Date Mailed: 05/21/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FAX RECEIVED**

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

NOV 13 2001

**PETITIONS OFFICE**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$27.
  - \$27 for 3 total claims over 20.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 447.

*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY.DOCKET.NO   | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|------------------|----------|------------|------------|
| 09/767,027         | 01/22/2001  | 3783         | 0.00          | 3486-023<br>DIV2 | 17       | 23         | 3          |

CONFIRMATION NO. 3318

22440  
 GOTTLIEB RACKMAN & REISMAN PC  
 270 MADISON AVENUE  
 8TH FLOOR  
 NEW YORK, NY 100160801

3486-024

FILING RECEIPT

DN3



0000000005899348



COPY

Date Mailed: 03/26/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

- Mark Hochman, Lake Success, NY;
- Claudia Hochman, Lake Success, NY;
- Angelo Ascione, Woodbridge, NJ;
- Lawrence Brown, Enola, PA;
- Hardie Johnson, Enola, PA;
- Michelle Lockwood, Mechanicsburg, PA;

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PETITIONS OFFICE

## Continuing Data as Claimed by Applicant

THIS APPLICATION IS A DIV OF 09/201,464 11/30/1998 PAT 6,200,289  
 AND CLAIMS BENEFIT OF 60/081,388 04/10/1998

## Foreign Applications

If Required, Foreign Filing License Granted 03/23/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

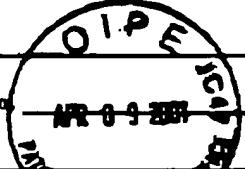
Non-Publication Request: No

Early Publication Request: No

" SMALL ENTITY "

Date 4-6-2001 Atty JR/TW/bel

Re: HOCMAN, Mark N: DRUG DELIVERY SYSTEM WITH PROFILES

**COPY**   
 Sheet/Matter (Docket) No. 3486-024 DIV III Case No. APR 6 2001  
 S/N 09/767,027 R/N \_\_\_\_\_ P/N \_\_\_\_\_

Title or Description of Enclosures Transmittal-1pp; Response-1pp; Notice to File Missing Parts-2pp; Copy of Notice-1pp;

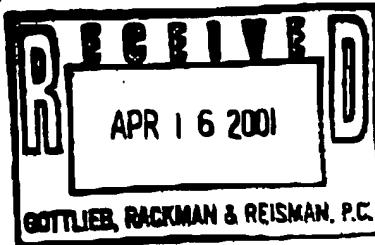
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 New York, New York 10016-0801

Attention: Docketing

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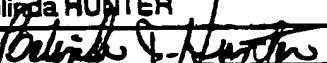
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|--------------------------------------------------------------------------------------------|---|------------------------|------------------|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> |   | Application Number     | 09/767.027       |
|                                                                                            |   | Filing Date            | January 22, 2001 |
|                                                                                            |   | First Named Inventor   | HOCHMAN, Mark N  |
|                                                                                            |   | Group Art.             | 3763             |
|                                                                                            |   | Examiner Name          | To Be Assigned   |
| Total Number of Pages in This Submission                                                   | 4 | Attorney Docket Number | 3486-024 DIV3    |

| ENCLOSURES (check all that apply)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment / Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Small Entity Statement<br><input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) | <input type="checkbox"/> Return Receipt Postcard; |
| Remarks                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |                                                                                     |
|--------------------------------------------|-------------------------------------------------------------------------------------|
| Firm or Individual name                    | GOTTLIEB RACKMAN & REISMAN PC<br>Tiberiu WEJSZ Reg. No. 29,876                      |
| Signature                                  |  |
| Date                                       | April 6, 2001                                                                       |

| CERTIFICATE OF MAILING                                                                                                                                                                                                                                                                              |                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <span style="border: 1px solid black; padding: 2px;">04.06.2001</span> |                                                                                     |
| Typed or printed name                                                                                                                                                                                                                                                                               | Belinda HUNTER                                                                      |
| Signature                                                                                                                                                                                                                                                                                           |  |
| Date                                                                                                                                                                                                                                                                                                | April 6, 2001                                                                       |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Attorney Docket No.:3486-024 DIV3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : HOCHMAN, Mark N

Serial No. : 09/767,027  
(this is a divisional of parent application 09/201,463)

Filing Date : January 22, 2001

Title : DRUG DELIVERY SYSTEM WITH PROFILES

Examiner : To Be Assigned

Group Art Unit : 3763

**COPY**

April 6, 2001

Assistant Commissioner for Patents  
Attention: OIPE - Customer Service Center  
Washington, D.C. 20231

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NOV 13 2001  
PETITIONS OFFICE

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service via First Class mail service in a post-paid envelope addressed to: Assistant Commissioner for Patents, Attn: OIPE - Customer Service Center, Washington, DC 20231 on 04.06.2001.

  
Brenda Hunter

RESPONSE TO NOTICE TO FILE MISSING PARTS

SIR:

At the time of filing the above-identified patent application on January 22, 2001, the

USPTO overlooked applicants claim of small entity status on the *Utility Patent Application*

*Transmittal (form PTO/SB/05)* at item 2.

Applicant by his undersigned attorneys hereby claim entitlement to small entity status under 37 CFR §1.27. Therefore, it is believed that the total outstanding balance of \$427 as indicated on the *Notice to File Missing Parts* is not now due.

Dated: April 6, 2001  
New York, New York

Respectfully submitted,

**GOTTLIEB RACKMAN & REISMAN PC**  
Attorneys for Applicant  
270 Madison Avenue  
New York, New York 10016-0601  
Telephone: 212/684-3900  
Telefax: 212/684-3999

By:



Tibor WETSZ

Reg. No. 29,876

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/767,027         | 01/22/2001          | Mark Hochman          | 3486-023 DIV           |

22440  
 GOTTLIEB RACKMAN & REISMAN PC  
 270 MADISON AVENUE  
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 NEW YORK, NY 100160601

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NOV 13 2001

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CONFIRMATION NO. 3318

FORMALITIES LETTER

  
OC00000005899349

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Date Mailed: 03/26/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$27.
  - \$27 for 3 total claims over 20.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$85 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 447.

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*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE